

**MINUTES OF THE
SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
STANDING COMMITTEE**

Friday, February 17, 2017 • 8:00 a.m. • 250 State Capitol

Members Present:

Sen. Todd Weiler, Chair
Sen. Luz Escamilla
Sen. Lyle W. Hillyard
Sen. Daniel W. Thatcher

Members Absent:

Sen. Gene Davis
President Wayne L. Niederhauser
Sen. Ralph Okerlund

Staff Present:

Mr. Gregg A. Girvan, Policy Analyst
Ms. Nancy Skidmore, Committee Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

Chair Weiler called the meeting to order at 8:12 a.m.

MOTION: Sen. Hillyard moved to approve the minutes of the February 15, 2017 meeting.
The motion passed with a vote of 2-0-5.

Yeas:

Sen. Hillyard
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund
Sen. Thatcher

1. 2nd Sub. H.B. 101 Adoptive Studies and Evaluations Amendments (*Redd, E.*)

Rep. Redd explained the bill.

MOTION: Sen. Hillyard moved to pass 2nd Substitute H.B. 101 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

2. S.B. 215 Master Offense List (*Thatcher, D.*)

Sen. Thatcher explained the bill.

MOTION: Sen. Thatcher moved to pass S.B. 215 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

MOTION: Sen. Thatcher moved to place S.B. 215 on the Consent Calendar. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

3. S.B. 213 Utah Substance Use and Mental Health Advisory Council (*Stevenson, J.*)

Sen. Stevenson explained the bill.

MOTION: Sen. Thatcher moved to pass S.B. 213 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

MOTION: Sen. Thatcher moved to place S.B. 213 on the Consent Calendar. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

4. H.B. 174 Firearm Records Protection Amendments (*Potter, V.*)

Rep. Potter explained the bill.

Mr. Clark Aposhian, Chairman, Utah Shooting Sports Council, spoke to the bill.

Mr. Curtis Oda, former Utah State House Representative, spoke in favor of the bill.

MOTION: Sen. Thatcher moved to pass H.B. 174 out favorably. The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

5. H.B. 184 Contraband Device Destruction (*Fawson, J.*)

Rep. Fawson explained the bill.

MOTION: Sen. Thatcher moved to amend H.B. 184 with Amendment #1.

1. *Page 2, Lines 48 through 51:*

48 (7) (a) "Computer" means an electronic, magnetic, optical, electrochemical, or other

- 49 high-speed data processing device that performs logical, arithmetic, and storage functions,
and
50 includes any device that is used for the storage of digital or electronic files, flash memory,
51 software, or other electronic information.

(b) "Computer" does not mean a computer server of an Internet or an electronic service provider, or the service provider's employee, if used for the purpose of compliance with obligations pursuant to 18 USC 2258A.

The motion passed with a vote of 3-0-4.

Yeas:

Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Sen. Escamilla
Pres. Niederhauser
Sen. Okerlund

Ms. Jessica Farnsworth, Internet Crimes Section Chief, Attorney General's Office, spoke in favor of the bill.

Mr. Greg Ferbrache, Division Director, Attorney General's Office, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass H.B. 184 out favorably. The motion passed with a vote of 4-0-3.

Yeas:

Sen. Escamilla
Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Pres. Niederhauser
Sen. Okerlund

MOTION: Sen. Hillyard moved to adjourn. The motion passed with a vote of 4-0-3.

Yeas:

Sen. Escamilla
Sen. Hillyard
Sen. Thatcher
Sen. Weiler

Nays:

Absent:

Sen. Davis
Pres. Niederhauser
Sen. Okerlund

Chair Weiler adjourned the meeting at 9:06 a.m.

Sen. Todd Weiler, Chair